

NOV 22 2004

PTO/SB/21 (09-04)

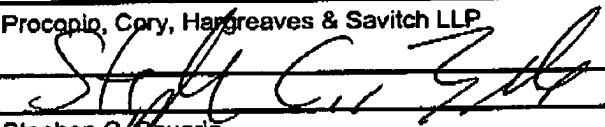
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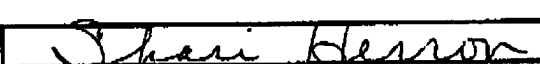
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/824,254
	Filing Date	04/14/2004
	First Named Inventor	Burd et al.
	Art Unit	3736
	Examiner Name	Matthew J. Kremer
	Attorney Docket Number	OCULIR03
Total Number of Pages in This Submission		

ENCLOSURES (Check all that apply)		
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Procopio, Cory, Hargreaves & Savitch LLP		
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Printed name	Stephen C. Beuerle		
Date	11/22/04	Reg. No.	38,380

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Patent  
OCULIR03

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

John F. Burd, et al.

Serial No. 10/824,254

Filed: April 14, 2004

For: **METHOD AND INSTRUMENTS  
FOR NON-INVASIVE ANALYTE  
MEASUREMENT**

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) **Group Art Unit: 3736**  
)

) **Examiner: Matthew J. Kremer**  
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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
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Sir:

In accordance with 37 CFR Sections 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. This application is being filed after June 30, 2003, therefore copies of cited U.S. patents and patent application publications are not submitted.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR 1.56. The submission thereof by Applicants is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR 1.97(h)), or even qualifies as "prior art" under 35 USC 102 with respect to this invention unless specifically designated by Applicant as such.

**INFORMATION DISCLOSURE STATEMENT FILING PROVISION**

This IDS is being submitted under 37 CFR § 1.97(e), that is after mailing of the International Search Report on November 5, 2004, but before a Final Action under 37 CFR 1.113 or a Notice of Allowance under 37 CFR § 1.311.

111928.000001/502740.01

Patent  
OCULIR03

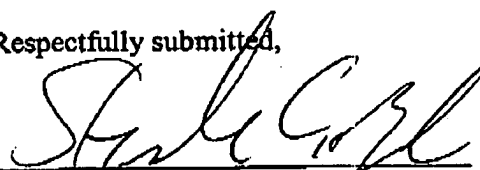
**PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:**

No fees are required with this filing under 37 CFR 1.97(b)(3), however, if applicant is incorrect in this regard or if the filing is accepted under 37 CFR 1.97(c), the Commissioner is hereby authorized to charge any fees required by the filing of these papers to Procopio, Cory, Hargreaves & Savitch's Deposit Account No. 50-2075.

Dated: 11/22/04

Respectfully submitted,

By:

  
Stephen C. Beuerle  
Reg. No. 38,380

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/824,254
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Filing Date	04/14/2004
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First Named Inventor	Byrd et al.
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Art Unit	3736
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Examiner Name	Matthew J. Kremer
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Attorney Docket Number	OCULIR03
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Sheet	1	of	1
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## U. S. PATENT DOCUMENTS

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## FOREIGN PATENT DOCUMENTS

[illegible]

**Examiner  
Signature**

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.18 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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